IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 26074 of 2003

Between:

S. Narsimha Murthy s/o Late K.S.N. Sastry
R/o D.No. 8-872, Saroja Motor Service, Kalyandurg, Anantapur District

..... PETITIONER

AND

1. The State Transport Appellate Tribunal Andhra Pradesh, rep by its

Presiding Officer, Manoranjan Complex, MJ Road, Hyderabad.
2 The Regional Transport Authority Anantapur rep by Secretary
3 The APSRTC., rep by Managing Director, Musheerabad Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, preferably one in the nature of Writ of Certiorari calling for the records relating to the impugned order of the 1st respondent herein dt.15-09-2003 made in MP No. 178/2003 in RP No. 308/2003 and quash the same, as illegal arbitrary and contrary to law as well as violative of provisions of MV Act, 1988.

Counsel for the Petitioner: MR.E.MARUTHI RAJA, Advocate

Counsel for Respondent Nos.1& 2: Govt. Pleader for Transport.

Counsel for respondent No.3: Mr.K.Srinivas Rao, S.C. for APSRTC

The Court made the following :

Oral Order:

Heard the learned counsel for the petitioner and also learned Government Pleader for Transport.

The Andhra Pradesh State Transport Corporation filed a revision before the State Transport Appellate Authority against the grant of variation of the existing route Kalyandurg tool Gate to Yatakallu by way of extension of route from Yatakallu to Mamadur via Konapuram to perform 8 singles per day in favour of the writ petitioner. The State Transport Appellate Authority by order dated 15-09-2003 suspended the operation of the impugned order of grant of variation by the RTA and the same is in operation till now. In effect, writ petitioner is not plying the vehicle on the varied route though it was granted.

Having regard to the said fact, writ petition itself can be disposed of directing the STAT to dispose of the revision filed by the 3rd respondent in its next date of hearing without further adjourning the matter.

The writ petition is accordingly disposed of. No costs.

08-07-2004

Murthy

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Presiding Officer, State Transport Appellate Tribunal Andhra Pradesh, Manoranjan Complex, MJ Road, Hyderabad
2 The Secretary, Regional Transport Authority Anantapur.
3 The Managing Director, APSRTC. Musheerabad, Hyderabad

4. Two CCs to the Govt. Pleader for Transport,

High Court Buildings, Hyderabad (OUT)

5.Two CD copies.